

**IN THE UNITED STATES COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>GORDON ROY PARKER,</b>	:	
	:	
	:	
Plaintiff	:	
	:	
	:	
v.	:	
	:	
<b>JACQUELINE FAYE GOLDHAGEN,</b>	:	<b>Case No: 15-cv-3304-TON</b>
	:	
Defendant	:	
	:	
	:	
	:	

**ORDER**

AND NOW, this \_\_\_\_ day of July, 2015, upon consideration of **Plaintiff's Motion For Voluntary Withdrawal Under Rule 41(a)(1)(A)(i)** It is hereby ORDERED that the motion is **granted**. This case is dismissed without prejudice.

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**IN THE UNITED STATES COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>GORDON ROY PARKER,</b>	:	
	:	
Plaintiff	:	
	:	
v.	:	
	:	
<b>JACQUELINE FAYE GOLDHAGEN,</b>	:	<b>Case No: 15-cv-3304-TON</b>
	:	
Defendant	:	
	:	
	:	
	:	

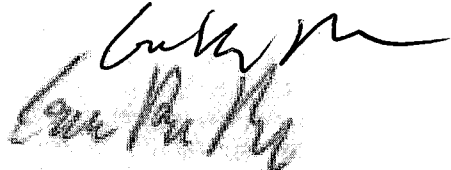
**PLAINTIFF'S NOTICE OF DISMISSAL PURSUANT TO RULE 41(a)(1)(A)(i)**

**Plaintiff** Gordon Roy Parker ("Plaintiff"), in the above-styled action, is exercising his absolute right under Federal Rule of Civil Procedure 41(a)(1)(A)(i) to withdraw this case without leave of the Court, and without prejudice.

In support, he avers the following:

1. Defendant has not served an answer, or motion for summary judgment, upon Plaintiff.

This the 16<sup>th</sup> day of September, 2015

  
\_\_\_\_\_  
Gordon Roy Parker, Pro Se  
4247 Locust Street, #119  
Philadelphia, PA 19104  
(267) 298-1257  
SnodgrassPublish@aol.com  
**PLAINTIFF**

**FILED**  
SEP 15 2015

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

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	:	
Defendant	:	
	:	
	:	

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF'S  
NOTICE OF DISMISSAL PURSUANT TO RULE 41(a)(1)(A)(i)**

**Plaintiff** Gordon Roy Parker ("Plaintiff"), in the above-styled action, submits this Memorandum of Law in support of the above-referenced motion.

**FILED**  
SEP 15 2015

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

**I. BACKGROUND**

For numerous reasons, outlined in the motion, this case is best dismissed without prejudice pursuant to Federal Rule 41(a), which seems to exist specifically for situations like this.

**II. LEGAL STANDARD/ARGUMENT**

Federal Rule 41(a)(1)(A)(i) states:


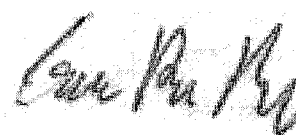
(A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment

### **III. CONCLUSION**

WHEREFORE, for the reasons set forth hereinabove, this case should be dismissed  
**without prejudice.**

This the 16<sup>th</sup> day of September, 2015

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**PLAINTIFF**

## CERTIFICATE OF SERVICE

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